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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,506	03/20/2001	Mitsuharu Nakamura	040894-5647	8902

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EXAMINER

NGUYEN, SON V

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/811,506

Applicant(s)

Nakamura et al.

Examiner

Son Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 10, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, and 4-7 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. The request filed on 6/10/03 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/811,506 is acceptable and a RCE has been established. An action on the RCE follows.

#### ***Claim Objections***

2. Claims 1-2 and 4 are objected to because of the following informalities:

In claim 1, line 11, there is no antecedent basis for "said connector." In lines 5-7, applicant should clarify what applicant intended by "said packing protection portion having a cross-section ... further ... the cover portion." Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 6,290,521) in view of Hill (US 5,547,388).

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Suzuki et al. discloses a cover assembly [60, figure 3-4] reads on applicant's a dustproof cover assembly comprising:

- a cap-shape cover portion having a substantially closed end;
- a packing protecting portion extending from a peripheral wall of an opening of the cover portion in a continual longitudinal direction, the inner surface of the cover portion includes a lip [figure 4] separating the packing protecting portion from the closed end of the cover portion;
- the packing protection portion having a cross-section perpendicular to the longitudinal direction that is further from the longitudinal axis than a cross-section of the cover portion;
- the cover portion is fitted to a connector [10] so as to cover a front portion and an outer peripheral portion of the connector [figure 4], and the packing protecting portion covers a packing [30] exposed around the outer peripheral portion of the connector;
- an inner peripheral surface of the packing protecting portion is formed in such a manner as to be brought into contact with the packing [figure 4]; and

Suzuki et al. further discloses the connector extending in a direction away from the packing, and the packing having a cross-section perpendicular to the longitudinal direction that is greater than a cross-section of the connector along the same direction.

Suzuki et al. discloses the instant claimed invention as described above except for the cover has a hole, latching mechanisms, and the connector has a plurality of electrical contacts with conductors connected thereto.

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Hill discloses a dustproof cover assembly [figures 1-6] comprising a cover [10, figures 1-3] having a hole [not label] and an engaging projection [20] for engaging with a lock arm [40] formed on a multi-pin electrical connector [34] which has a plurality of electrical contacts with conductors connected thereto [figures 4-6].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the cover assembly of Suzuki et al. to provide the latching mechanism, the hole and the connector with contact type as taught by Hill for the purpose of facilitate operating the latching mechanism, retaining the cover to the connector and interconnecting the connector to a wiring harnesses, respectively.

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-2 and 5-7 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son Nguyen whose telephone number is (703) 308-8745.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reach on (703) 308-2710. The fax phone number for this Group is (703) 308-7722.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.

sn  
June 27, 2003

  
SON V. NGUYEN  
PATENT EXAMINER